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6 **UNITED STATES DISTRICT COURT**  
7 **WESTERN DISTRICT OF WASHINGTON**  
8 **AT TACOMA**

9 \_\_\_\_\_  
10 **AHIJAH BURGESS,**

11 Plaintiff,

12 vs.

13 **COLUMBIA RECOVERY GROUP, LLC,**  
14 **EXPERIAN INFORMATION**  
15 **SOLUTIONS, INC., EQUIFAX**  
16 **INFORMATION SERVICES, LLC, &**  
17 **TRANS UNION, LLC,**

18 Defendants.  
19 \_\_\_\_\_

) Case No.: 3:17-cv-5325

) **COMPLAINT;**

) FAIR DEBT COLLECTION PRACTICES  
) ACT (15 U.S.C. § 1692a, *et seq.*) & FAIR  
) CREDIT REPORTING ACT (15 U.S.C. 1681,  
) *et seq.*);

) DEMAND FOR JURY TRIAL  
)  
)  
)

20 **I. INTRODUCTION**

21 1. This is an action for damages brought by an individual consumer for Defendants'  
22 violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter  
23 "FDCPA") and the Fair Credit Reporting Act (15 USC § 1681, *et seq.*)

24 **II. JURISDICTION**

25 2. Plaintiff's claims for violations of the FDCPA and FCRA arise under 15 U.S.C. §  
26 1692k(d), and therefore involves a "federal question" pursuant to 28 U.S.C. § 1331.

27 **III. PARTIES**

28 3. Plaintiff, Ahijah Burgess ("Plaintiff"), is a natural person residing in Pierce County,

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1 Washington.

2 4. Defendant, Columbia Recovery Group, LLC (“Defendant CRG”), is a corporation  
3 engaged in the business of collecting debts by use of the mails and telephone. Defendant CRG  
4 regularly attempts to collect debts alleged due another.  
5

6 5. Defendant, Experian Information Solutions, Inc. (“Defendant Experian”), is a  
7 corporation engaged in the business of compiling and providing information pertaining to the  
8 creditworthiness of consumers.

9 6. Defendant, Equifax Information Solutions, LLC. (“Defendant Equifax”), is a  
10 corporation engaged in the business of compiling and providing information pertaining to the  
11 creditworthiness of consumers.  
12

13 7. Defendant, Trans Union, LLC (“Defendant TU”), is a corporation engaged in the  
14 business of compiling and providing information pertaining to the creditworthiness of consumers.  
15

16 **IV. FACTUAL ALLEGATIONS**

17 8. Defendant are each a “debt collector” as defined by the FDCPA, 15 U.S.C. §  
18 1692a(6).

19 9. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3), and the  
20 FCRA, 15 U.S.C. § 1681a(c).  
21

22 10. All activities of Defendants set out herein were undertaken in connection with the  
23 collection of a “debt,” as defined by 15 USC § 1692a(5).

24 11. Within the last year, Defendant CRG took multiple actions in an attempt to collect  
25 a debt from Plaintiff. Defendant’s conduct violated the FDCPA in multiple ways, including the  
26 following.  
27  
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1           12. Defendant CRG communicating or threatening to communicate credit information  
2 which is known or which should be known to be false, including reporting information about an  
3 alleged debt that Plaintiff had already provided ample evidence was not owed (§ 1692e(8)).  
4

5           13. Each Defendant failed to conduct a reasonable investigation in response to a  
6 credit dispute through each of the 3 credit bureaus by Plaintiff about a the above-referenced debt.  
7 Defendant provided detailed reasons for her dispute from which a reasonable person that she did  
8 not owe the debt in question, or at least owed a lesser amount than reported (15 USC 1681s).  
9

10           14. Within the last 2 years, the 3 credit bureau Defendants each received a written  
11 dispute from Plaintiff adequately explaining why she does not owe the debt alleged, or at least why  
12 the amount is incorrect.

13           15. Within the last 2 years, each credit bureau Defendant failed to conduct a reasonable  
14 investigation into the validity of Plaintiff's dispute and allowed the false information to remain on  
15 Plaintiff's credit report, after that data was verified as accurate by Defendant CRG.  
16

17           16. Defendant CRG also failed to conduct a reasonable investigation and confirmed the  
18 validity of inaccurate information disputed by Plaintiff.

19           17. As a result of the aforementioned violations, Plaintiff suffered and continues to  
20 suffer injuries to Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and  
21 severe emotional distress.  
22

23           18. Defendants intended to cause, by means of the actions detailed above, injuries to  
24 Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and severe emotional  
25 distress.  
26

27           19. Defendants' actions, detailed above, were undertaken with extraordinary disregard  
28 of, or indifference to, known or highly probable risks to purported debtors.

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1           20. To the extent any Defendants' actions, detailed in paragraphs above were carried  
2 out by an employee of that Defendant, that employee was acting within the scope of his or her  
3 employment.  
4

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6           **COUNT I: VIOLATION OF FAIR DEBT COLLECTION PRACTICES ACT**

7           21. Plaintiff reincorporates by reference all of the preceding paragraphs.

8           22. The preceding paragraphs state a *prima facie* case for Plaintiff and against  
9 Defendant CRG for violations of the FDCPA.  
10

11           **PRAYER FOR RELIEF**

12           WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant  
13 CRG for the following:

14           A. Declaratory judgment that Defendant's conduct violated the FDCPA;  
15           B. Actual damages pursuant to 15 U.S.C. 1692k;  
16           C. Statutory damages pursuant to 15 U.S.C. § 1692k;  
17           D. Costs, disbursements and reasonable attorney's fees for all successful claims, and  
18 any unsuccessful claims arising out of the same transaction or occurrence as the successful claims,  
19 pursuant to 15 U.S.C. § 1692k; and,  
20

21           E. For such other and further relief as may be just and proper.  
22

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24           **COUNT II: NEGLIGENT VIOLATION OF FAIR CREDIT REPORTING ACT**

25           23. Plaintiff reincorporates by reference all of the preceding paragraphs.

26           24. The preceding paragraphs state a *prima facie* case for Plaintiff and against all  
27 Defendants for violations of the FCRA, § 1681s-2.  
28

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**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered against all the Defendants for the following:

- A. Declaratory judgment that Defendants' conduct violated the FCRA,
- B. Actual damages pursuant to 15 U.S.C. § 1681o(a)(1);
- C. Costs, disbursements and reasonable attorney's fees for all successful claims, and any unsuccessful claims arising out of the same transaction or occurrence as the successful claims, pursuant to 15 U.S.C. § 1681o(a)(2); and,
- D. For such other and further relief as may be just and proper.

**COUNT III: INTENTIONAL VIOLATION OF FAIR CREDIT REPORTING ACT**

25. Plaintiff reincorporates by reference all of the preceding paragraphs.

26. The preceding paragraphs state a *prima facie* case for Plaintiff and against Defendants for violations of the FCRA, § 1681s-2.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered against all the Defendants for the following:

- A. Declaratory judgment that Defendants' conduct violated the FCRA,
- B. Actual damages or \$1000, whichever is greater, pursuant to 15 U.S.C. § 1681n(a)(1)(B).
- C. Costs, disbursements and reasonable attorney's fees for all successful claims, and any unsuccessful claims arising out of the same transaction or occurrence as the successful claims, pursuant to 15 U.S.C. § 1681n(a)(3); and,
- D. For such other and further relief as may be just and proper.

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**PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

Dated this 2<sup>nd</sup> day of May, 2017

By: s/Joshua Trigsted  
Joshua Trigsted, WSBA#42917  
Attorney for Plaintiff

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